

REMARKS

The Applicants request reconsideration of the rejection.

Claims 1-2, 4-6, 8-10, and 12-21 are now pending.

Further to the Reply filed September 17, 2004, the Applicants request acknowledgement of the claim for foreign priority benefits under 35 U.S.C. §119, as well as acknowledgement of the certified copy of Japanese priority document number 2001-026298. The certified copy was filed August 29, 2001, with the original application papers.

Claims 1-3, and 9-12 are rejected under 35 U.S.C. §102(e) as being anticipated by Salvo et al., U.S. 6,341,271 (Salvo). Claims 4-8 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Salvo.

The Applicants' representative thanks the Examiner for the courtesies extended during the office interview of March 24, 2005. During the interview, it is believed that the Examiner agreed that the Applicants' proposed claims were patentably distinguishable from Salvo, as applied in the outstanding Office Action. The amendments submitted with this Reply reflect the proposal and discussions that took place during the interview.

By way of summary, Salvo is seen to disclose a control device 114 connected to a product financial information source 155, such that the control device determines the lowest price available for inventory 150. The product financial information source 155 provides information such as spot market price. According to Salvo, a shipping order can be supplied by selecting the lowest price among suppliers of the consumer goods.

In contrast, the method and apparatus of the amended claims pertains to the management of consumer goods used in an analyzer, and includes steps or functions of recording consumption information on consumer goods used in the analyzer, sorting the consumption information according to supplier, and transmitting the sorted consumption information to a management unit for the analyzer or consumer goods suppliers' supply management units (using Claim 1 by way of example). The other independent claims are similarly directed, but have limitations of varying scope.

Thus, according to the present invention, consumption information relating to consumable goods used by the analyzing device is recorded, the consumption information is sorted according to supplier, and the sorted consumption information

is transmitted to a management unit or system as variously claimed.

During the interview, the Examiner raised a patent, not yet of record, to Spiegelhoff (U.S. 5,402,336). Spiegelhoff is seen to disclose a system for forming a list of wholesale dealers, with an order of precedence according to a standard such as price or status of stocked goods, and automatically making an offer to one of the wholesale dealers. In contrast, the claimed invention relates to a method or apparatus for storing the consumption information relating to consumable goods used by an analyzer, sorting the consumption information according to supplier, and transmitting the sorted consumption information to a management unit or system.

Therefore, Spiegelhoff is distinguishable as failing to disclose the storing, sorting, and transmitting of consumption information relating to consumable goods used by an analyzer, as claimed in the various independent claims. Accordingly, the Applicants believe that the present invention is patentably distinguishable from Spiegelhoff, whether taken individually or in combination with Salvo or any other reference of record.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

Respectfully submitted,

  
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